

1
UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF TEXAS (SHERMAN)
2**EXHIBIT**
13 IN RE:)
4 JOSEPH ANTHONY DOWDALL,) CASE NO. 24-42950
5 Debtor.) CHAPTER 7
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11 TRANSCRIPTION OF AUDIO RECORDED

12 341 CREDITORS MEETING HELD TELEPHONICALLY

13 341 AUDIO 04.04.25 #1 AND #2

14 Durations: 45:55 and 18:42

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A P P E A R A N C E S

CHAPTER 7 TRUSTEE:

Mr. Mark A. Weisbart

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COURT-APPOINTED RECEIVER IN A DALLAS COUNTY
DISTRICT COURT CASE JUDGMENT AGAINST
JOSEPH DOWDALL:

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ALSO PRESENT:

Mr. Joseph Anthony Dowdall, Debtor

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1 P R O C E E D I N G S
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3 (341 AUDIO 04.04.25 #1)

4 FEMALE SPEAKER: All right. Track
5 No. 48, Joseph Dowdall, Case No. 24-42950.6 I have Patrick Yarborough listed.
7 And, everybody else, if you'll please state your
8 names.

9 MR. DOWDALL: Joseph Dowdall.

10 MR. PRONSKE: Gerrit Pronske, attorney
11 for the debtor.12 TRUSTEE WEISBART: All right. Mark
13 Weisbart, trustee.14 Does anyone else want to appear in
15 this?

16 FEMALE SPEAKER: Patrick does.

17 TRUSTEE WEISBART: Can you state your
18 name, Mr. Yarborough, if you want to appear?19 MR. YARBOROUGH: Sure, of course. My
20 name is Patrick Yarborough. I'm here on behalf of
21 judgment creditors, MMWKM Advisors, LLC, and Ken
22 Moraif.

23 TRUSTEE WEISBART: All right.

24 FEMALE SPEAKER: Dana?

25 MS. LIPP: Yes. Sorry. Dana Lipp. I

1 was the Court-appointed receiver in a district
2 court case against Mr. Dowdall.

3 TRUSTEE WEISBART: Okay. Are you
4 appearing at this creditors meeting?

5 MS. LIPP: Yes, I'm appearing for the
6 creditors meeting. Thank you.

7 TRUSTEE WEISBART: Mr. Dowdall, I'm
8 Mark Weisbart, the trustee.

9 MR. DOWDALL: Yes, sir.

10 TRUSTEE WEISBART: And let me swear
11 you in, if you'll raise your right hand.

12 This meeting has been continued -- or
13 excuse me. Do you swear to tell the truth?

14 MR. DOWDALL: Yes.

15 TRUSTEE WEISBART: Okay. This meeting
16 has been continued twice before, but we've
17 actually never conducted the meeting so today
18 we're going to conduct the meeting and hopefully
19 get it concluded.

20 JOSEPH ANTHONY DOWDALL,

21 having been first duly sworn, testified as
22 follows:

23 EXAMINATION

24 BY TRUSTEE WEISBART:

25 Q. Mr. Dowdall, let's see. Have you ever

1 filed bankruptcy before?

2 A. No.

3 Q. Did you review your petition, schedules
4 and statement of financial affairs before they
5 were filed?

6 A. Yes.

7 Q. Are all of your assets identified in your
8 bankruptcy schedules?

9 A. Yes.

10 Q. Are there any changes you need to make to
11 your bankruptcy schedules, your statement of
12 financial affairs or your petition -- bankruptcy
13 petition?

14 A. No.

15 Q. Okay. For the record, we have a copy of
16 your driver's license and Social Security card,
17 your '23 tax return. Have you prepared and filed
18 your '24 return?

19 A. Yes. And actually did that inadvertently
20 and didn't realize the timing of it so I actually
21 have a refund for the '24 tax return that I'm
22 going to have to account for, you know, to apply
23 towards the creditors.

24 Q. What is the amount of the refund?

25 A. It's roughly \$7,000.

1 Q. Anything of extraordinary value, say
2 \$5,000 or more?

3 A. No.

4 Q. All right. You identified, as you said,
5 your wife's bank account or accounts. Did you --
6 I believe I was told that you signed a separate
7 property agreement with your wife?

8 A. That's correct.

9 Q. And is that a copy of -- can I get a copy
10 of that?

11 MR. PRONSKE: I'm going to send you a
12 copy of it this afternoon.

13 TRUSTEE WEISBART: Okay. Great.
14 Thanks.

15 Q. (BY TRUSTEE WEISBART) And when was that
16 executed?

17 A. I believe in 2022.

18 Q. And why did you execute that agreement?

19 A. You know, I was going through the lawsuit
20 and my wife just wanted to make sure that her
21 assets were identified as her assets due to the --
22 you know, due to the lawsuit. I'll just --
23 without adding too much hyperbole there. It was a
24 very challenging time. But ultimately she just,
25 like I said, wanted to make sure her assets were

1 Q. Okay. But nevertheless these monies have
2 been paid since they started -- since they became
3 salary to an account owned by your wife, Layla
4 Dowdall, as a separate property account. Correct?

5 A. Yes.

6 Q. Did you answer?

7 A. I did.

8 Q. Okay. You said yes?

9 A. Well, again, it's, you know, a lot of
10 time period here, but my recollection is that
11 that's how they were paid. Okay.

12 TRUSTEE WEISBART: Let me interrupt
13 here a second. I've got four meetings that
14 started -- that were supposed to start at
15 1:00 o'clock. It's almost 1:40. What I would
16 like to do is adjourn this until -- for about 20
17 minutes and take it -- and take it up again at
18 2:00.

19 Is that a problem with anyone?

20 MR. YARBOROUGH: No. You're -- no.
21 That's fine, Mr. Trustee.

22 TRUSTEE WEISBART: Okay. And how much
23 questioning do you think you have, Mr. Yarborough?

24 MR. YARBOROUGH: Really I could
25 probably finish in the next three minutes. I'm

1 me -- let me just break it down because it doesn't
2 have to be a legal question. It could just be a
3 factual one.

4 So the monthly statements of Layla
5 Dowdall's separate bank accounts under the
6 separate property agreement would show how much
7 she received from WAM. Correct?

8 A. I (audio cuts out).

9 Q. And --

10 MR. PRONSKE: I didn't hear the
11 answer. I just -- it just got blurred out.

12 MR. DOWDALL: I'm sorry. The answer
13 was I don't know.

14 MR. PRONSKE: Okay. Sorry.

15 Q. (BY MR. YARBOROUGH) Okay. So as you sit
16 here today, can you tell the trustee and the
17 creditors present here today whether the separate
18 property agreement addresses the transfer of your
19 income from WAM?

20 A. I don't know.

21 Q. Okay. And can you confirm here on the
22 record that you still have a copy of the separate
23 property agreement?

24 A. Yeah. I can't confirm because I'm not
25 exactly sure if I do or don't.

1 A. On the schedules that I provided?

2 Q. No. Just -- do you know if the vehicle
3 that was purchased for your daughter, is that
4 considered community property or your wife's
5 separate property? Is it subject to the separate
6 property agreement, I guess, is what I'm asking?

7 A. I'm not entirely sure. Based on the
8 timing I would -- because the separate property
9 agreement was -- yeah. I don't know. I'm sorry.

10 Q. Okay. And then does she have any
11 valuable personal property, jewelry, heirlooms,
12 antiques, collectibles that would be considered
13 subject to the separate property agreement?

14 A. Not that I'm aware of.

15 Q. Okay.

16 TRUSTEE WEISBART: All right. Any
17 other questions?

18 What I'd like to do is go ahead and
19 conclude the meeting. There are documents that I
20 have not yet seen, some credit card statements and
21 the '24 tax return and the separate property
22 agreement.

23 Yeah. Just to confirm that you
24 have -- you'll provide me a copy of the separate
25 property agreement.

1 MR. PRONSKE: Yes.

2 TRUSTEE WEISBART: Okay. And then --
3 so I'm going to conclude the meeting, but I'm
4 going to reserve the right to recall the meeting
5 if that's the right word or reset the meeting if
6 there are questions that I have that I can't get
7 answers to, and I don't anticipate that -- don't
8 get me wrong -- related to these documents that we
9 have not seen. Fair enough?

10 MR. PRONSKE: Yes.

11 MR. DOWDALL: Thank you.

12 TRUSTEE WEISBART: Anything else from
13 anybody?

14 All right. Good. Meeting is
15 concluded then. Thank you.

16 MS. LIPP: Thank you.

17 (End of digital recording)

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1 THE STATE OF TEXAS)

2 COUNTY OF HARRIS)

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4 I, Diana Ramos, Certified Shorthand
5 Reporter in and for the State of Texas, do hereby
6 certify that the above and foregoing is a correct
7 transcription from the audio recording provided to
8 me in the above-entitled matter, taken down by me
9 in machine shorthand and later reduced to
10 typewritten form to the best of my ability.

11 Certified to by me this 30th day of
12 April, 2025.

13 Diana Ramos

14 Diana Ramos, CSR

15 CSR No. 3133, Expires 1-31-2027

16 LEXITAS

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